

Remarks:

Reconsideration of the application, as amended herein, is respectfully requested.

Claims 1 - 17 are presently pending in the application.

Claims 1, 7 and 10 - 17 have been amended. Claim 18 was canceled herein. Claims 19 - 20 were previously canceled. As it is believed that the claims were patentable over the cited art in their original form, the claims have not been amended to overcome the references.

In item 2 of the above-identified Office Action, claims 3 - 7 and 12 - 18 were objected to as allegedly being in improper dependent form. It is believed that the amendments to the claims made herein cure the objection to claims 3 - 7 and 12 - 18 in item 2 of the Office Action. More particularly, page 2 of the Office Action stated that the test for a proper dependent claim is whether the dependent claim includes every limitation of the parent claim. See also, for example, MPEP § 608.01(n). It is believed that this test is met by the present dependent claims.

For example, dependent claim 3 requires a computer running a computer program, comprising computer-executable instructions for executing a method for simulating an electrical network according to claim 1. Claim 1 recites, among other

Applic. No. 10/723,642
Response Dated March 6, 2008
Responsive to Office Action of December 6, 2007

limitations providing a computer and a method for simulating an electrical network. As such, every limitation of claim 1 is believed to be present in claim 3. Thus, claim 3 is believed to be a proper dependent claim from claim 1.

Likewise, the remaining dependent claims (i.e., depending, ultimately, from claims 1 or 10) are believed to be proper dependent claims.

In item 3 of the Office Action, claims 12 - 13 were rejected as allegedly being indefinite under 35 U.S.C. § 112, first paragraph. Applicant has amended claims 12 and 13 to address the concern raised in item 3 of the Office Action. More particularly, Applicant's claims 12 and 13 are now directed to functional material embodied on a data carrier (i.e., "for simulating an electrical network when run on a computer"). The amendments to claims 12 and 13 are supported by the specification of the instant application, for example, on page 17 of the instant application, lines 1 - 3, which state:

In the method according to the invention a preferably digital computer is used that has at least a memory, an arithmetic unit, an input device, and an output device. [emphasis added by Applicant]

See also, for example, page 17 of the instant application, line 18 - page 18, line 2, which states:

Applic. No. 10/723,642
Response Dated March 6, 2008
Responsive to Office Action of December 6, 2007

Because numerous defective program runs and/or simulation trials can be avoided, **the computer program according to the invention results in substantial improvements in run time by comparison with the known simulation programs and simulation methods.**

Moreover, the invention relates to a data carrier with such a computer program, and to a method in which such a computer program is downloaded from an electronic data network, such as from the Internet onto a computer connected to the data network. [emphasis added by Applicant]

As such, Applicant's amended claims 12 and 13 are believed to be enabled by the specification of the instant application under 35 U.S.C. § 112, first paragraph.

In item 4 of the Office Action, claims 1 - 9, 16 and 18 were rejected as allegedly being indefinite under 35 U.S.C. § 112, second paragraph. More particularly, in item 5 of the Office Action Applicant's claim 1 was rejected as allegedly not providing proper antecedent basis for "the system" of line 2 and "the technical system" of lines 6 - 7. Applicant's claim 1 has been amended to address the concerns raised in item 5 of the Office Action.

Additionally, in item 6 of the Office Action, Applicant's claim 7 was rejected because it was allegedly unclear how a computer would run a computer-readable medium". Applicant has amended claim 7 to address the concerns raised in item 6 of the Office Action.

Applic. No. 10/723,642
Response Dated March 6, 2008
Responsive to Office Action of December 6, 2007

Further, in items 7 and 8 of the Office Action, Applicant's claims 16 and 18, respectively, were rejected for reciting a "computer system" including a "computer program product or computer program", which, allegedly, changes statutory categories. Applicant has amended claim 16 to recite, among other limitations, a computer running "the computer program product" according to claim 10, which is carried in a computer memory. Claim 18 was canceled from the present application. As such, Applicant's believe that the amendments made to claim 16 address the concerns raised in items 7 and 8 of the Office Action.

It is accordingly believed that the claims meet the requirements of 35 U.S.C. § 112, first and second paragraphs.

Further, in item 9 of the Office Action, Applicant's claims 1 - 18 were rejected under 35 U.S.C. § 101, as allegedly being directed towards non-statutory subject matter. Applicant respectfully disagrees.

More particularly, in item 10 of the Office Action, claim 1 was rejected as allegedly failing to recite how error information is "output". Applicant has amended claim 1 to make the tangible output produced in that claim even more

Applic. No. 10/723,642
Response Dated March 6, 2008
Responsive to Office Action of December 6, 2007

clear. More particularly, claim 1 recites, among other limitations:

providing a computer system including a memory, an arithmetic unit, an input device and an output device;

step 3: outputting at the output device error information containing the numbers contained in each row rank determined in step 2 and in each column rank determined in step 2; [emphasis added by Applicant]

The amendments to claim 1 are supported by the specification of the instant application. For example, as discussed elsewhere herein, page 17 of the instant application, lines 1 - 3, state:

In the method according to the invention a preferably digital computer is used that has at least a memory, an arithmetic unit, an input device, and an output device. [emphasis added by Applicant]

Additionally, page 17 of the instant application, lines 11 - 13, state:

It is possible in this case to output results of a simulation, the solution vector or the solution vectors at different points in time. [emphasis added by Applicant]

See also, for example, page 30 of the instant application, lines 10 - 13, which state:

The error information specified in Fig. 8 is output in step 3 of the method developed further in accordance with the invention, use being made of the equation

Applic. No. 10/723,642
Response Dated March 6, 2008
Responsive to Office Action of December 6, 2007

significance list G and the component significance
list K from Fig. 7.

Fig. 8 of the instant application, which is described in the
above-quoted specification as showing the output, shows the
simulation results being output as English text. This is
clearly stated on page 20 of the instant application, line 10,
which states "Fig. 8 is a resultant error list". Fig. 8 of
the instant application is being reproduced herebelow, for
convenience,

A row rank having the elements
"2: Kirchhoff current equation for the node 1",
"3: Kirchhoff current equation for the node 2"
was found.

A column rank having the elements
"1: Voltage between nodes 1 and 0"
"2: Voltage between nodes 2 and 0"
was found.

} FIG. 8

As can be seen from the specification, as well as from Fig. 8
of the instant application, the results of the presently
claimed simulation are output to an output device, providing a
useful, concrete and tangible result. As such, Applicant's
claim 1 is believed to be statutory subject matter under 35
U.S.C. § 101.

In item 11 of the Office Action, claims 7, 14 and 15 were
rejected for reciting a "computer readable medium", whereas

Applic. No. 10/723,642
Response Dated March 6, 2008
Responsive to Office Action of December 6, 2007

the specification allegedly includes a carrier signal in that definition. Applicant's claims 7, 14 and 15 have been amended to recite "a computer memory", instead of a "computer readable medium". It is believed that this amendment addresses the concerns raised in item 11 of the Office Action and even more clearly defines claims 7, 14 and 15 as statutory subject matter under 35 U.S.C. § 101.

Further, in item 12 of the Office Action, Applicant's claims 10, 11, 16 and 17, were rejected for reciting a "computer program product or computer program", which, allegedly, changed statutory categories. Applicant has amended claims 10, 11, 16 and 17, among others, to address the concern raised in item 12 of the Office Action.

In view of the foregoing, it is believed that all of the presently pending claims are statutory subject matter under 35 U.S.C. § 101.

Additionally, Applicant notes that no prior art was cited against the claims in the present Office Action. MPEP § 701.01 requires an Office Action to be complete as to all matters. Accordingly, it is believed that none of the references, whether taken alone or in any combination, teach or suggest the features of claim 1 and 10. Claims 1 and 10

Applic. No. 10/723,642
Response Dated March 6, 2008
Responsive to Office Action of December 6, 2007

are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claims 1 or 10m.

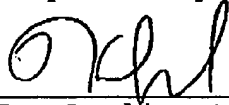
In view of the foregoing, reconsideration and allowance of claims 1 - 17 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

Please charge any fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Stemmer LLP, No. 12-1099.

Respectfully submitted,



For Applicant
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